

## **FACTSHEET**

**TITLE:** SPECIAL PERMIT NO. 1999, WILDERNESS HILLS COMMUNITY UNIT PLAN, requested by J. Michael Rierden on behalf of Gerald Maddox, on property generally located southeast of the intersection of South 27<sup>th</sup> Street and Yankee Hill Road.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 11/12/03  
Administrative Action: 11/12/03

**STAFF RECOMMENDATION:** Condition Approval

**RECOMMENDATION:** Conditional Approval, with amendments (8-0: Larson, Carlson, Bills-Strand, Marvin, Duvall, Taylor, Krieser and Steward voting 'yes').

**ASSOCIATED REQUESTS:** Annexation No. 02012 (94-95); Annexation Agreement (04R-107); Change of Zone No. 3423 (04-96); and Use Permit No. 154 (04R-109).

### **FINDINGS OF FACT:**

1. This proposed community unit plan and the associated annexation, change of zone and use permit were heard at the same time before the Planning Commission.
2. This community unit plan is being requested to allow the development of 640 single and multiple family dwelling units with the following waiver requests:
  - preliminary plat process;
  - minimum lot area and lot width;
  - building height; and
  - sanitary sewer design standards to allow sewer to flow opposite street grades
  - (sidewalk waiver was withdrawn by the applicant on 11/12/03)
  - (sanitary sewer design standard waiver to allow the sewer to extend along the centerline of the private roadways was withdrawn by the applicant on 11/12/03).
3. The staff recommendation of conditional approval is based on the "Analysis" as set forth on p.5-7, concluding that, with modifications noted in the conditions of approval, the proposal is consistent with the intent of the Zoning Ordinance, Land Subdivision Ordinance and the Comprehensive Plan.
4. The applicant's testimony is found on p.11-12, including requests to amend the conditions of approval (p.35-36), all of which were agreed upon by staff.
5. Testimony in support by a representative of the Wilderness Ridge homeowners, with some reservations and concerns, is found on p.13, and the "Wilderness Ridge Neighborhood Comments" are found on p.37-39.
6. There was no testimony in direct opposition.
7. On November 12, 2003, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend conditional approval, as set forth in the staff report, with the amendments as requested by the applicant.
8. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied, and the revised site plan is attached (p.20).

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** May 4, 2004

**REVIEWED BY:** \_\_\_\_\_

**DATE:** May 4, 2004

**REFERENCE NUMBER:** FS\CC\2004\SP.1999

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for November 12, 2003 PLANNING COMMISSION MEETING

**\*\*As Revised and Recommended by Planning Commission: 11/12/03\*\***

**P.A.S.:**

Annexation #02012 to annex 91.98 acres  
Change of Zone #3423 from AG to R-3, R-5, O-3 and B-2  
**Special Permit #1999** for Community Unit Plan  
Use Permit #154 for retail/commercial

**PROPOSAL:**

To allow 640 single and multiple family residential units and 495,000 square feet of office/commercial floor area.

**LOCATION:**

Southeast of the intersection of South 27<sup>th</sup> Street and Yankee Hill Road.

**LAND AREA:**

Annexation #02012	91.98 Acres
Change of Zone #3423	111.5 Acres
Special Permit #1999	64.35 Acres
Use Permit #154	47.64 Acres

**WAIVER REQUESTS:**

1. Waive the preliminary plat process.
2. Landscaping in traffic circles and medians.
3. Front yard setback from 50' to 20' adjacent to Wilderness Hills Boulevard; from 50' to 15' adjacent to Yankee Hill Road; and, from 50' to 20' along Yankee Hill Road all in B-2.
4. Rear yard setback in the B-2 from 50' to 20' adjacent to R-5.
5. ~~Sidewalks along the east side of South 27<sup>th</sup> Street, and along the south side of Yankee Hill Road.~~ **\*\*Withdrawn by the applicant on 11/12/03\*\***
6. Minimum lot area and lot width to allow 4,000 square foot lots 40' in width for single-family and 25' in width for two-family, and to allow 2,000 square foot lots 20' in width for townhomes, all in the R-3.
7. Building height from 45' to 60' in O-3, from 40' to 50' in the B-2, and from 35' to 50' in the R-3 and R-5.
8. Sanitary Sewer Design Standard to allow sewer to flow opposite street grades ~~and located under the centerline of the private roadways rather than offset.~~ **\*\*Withdrawn by the applicant on 11/12/03\*\***

**CONCLUSION:** With the modifications noted in the conditions of approval, these requests are consistent with the intent of the Zoning and Land Subdivision Ordinances and the Comprehensive Plan.

**RECOMMENDATION:**

SP#1999	Conditional Approval
Waivers:	
1. Sidewalks ( <b>**Waiver Request withdrawn 11/12/03**</b> )	Denial
2. Minimum lot area and lot width	Approval
3. Building height	Approval
4. Preliminary plat	Approval
5. Sanitary sewer design standards:	
Flow opposite street grades	Approval
Under the centerline or roadway	Denial
<b>(**Waiver Request withdrawn 11/12/03**)</b>	

**GENERAL INFORMATION:**

<b>LEGAL DESCRIPTION:</b>	Annexation #02012	See attached.
	Change of Zone #3423	See attached.
	Special Permit #1999	See attached.
	Use Permit #154	See attached.

**EXISTING ZONING:** AG Agriculture

**EXISTING LAND USE:** Agriculture, Residential

**SURROUNDING LAND USE AND ZONING:**

North:	Commercial/Office/Residential (under development)	R-3, R-4, O-3, B-2 (R-3, R-4, O-3, H-4 proposed)
South:	Agriculture	AG
East:	Agriculture	AG
West:	Residential & Golf Course	R-3

**COMPREHENSIVE PLAN SPECIFICATIONS:** CPC#03015 was approved on **July 16, 2003** designating a Community Center at the intersection of South 27<sup>th</sup> Street and Yankee Hill Road.

**Page F17** - Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per

acre and more dwelling units per acre in new neighborhoods.

**Page F18** - Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population.

**Page F20 & F21** - Principles of mixed-use development.

**Page F23-24** - The area proposed for office/commercial development with this plan is designated as commercial on the Land Use Map of the Comprehensive Plan, and is consistent with CPC#03015.

**Page F31** - Tier 1 Priority Areas - This site is within the Future Service Limit. The remainder of the section is within Tier 1, Priority Area A. That area within the Future Service Limit can be served by city utilities; those lands in Priority Area A are designated to receive city services within the next 12 years.

**Page F45** - Community Centers may vary in size from 300,000 to nearly a million square feet of commercial space. Typically, new Community Centers will range from 300,000 to 500,000 square feet. Community Centers are intended to be smaller in scale and intensity of uses than Regional Centers and serve a more targeted market and geographic area. Community Centers tend to be dominated by retail and service activities, although they can also serve as campuses for corporate office facilities and other mixed-use activities. When properly located, some light manufacturing or assembly when accessory to an office function may be allowed. One or two department stores or "big box" retail operations may serve as anchors to the Community Center with smaller general merchandise stores located between any anchors or on surrounding site pads, such as Edgewood Shopping Center at S. 56<sup>th</sup> Street and Highway 2.

**Page F95** - The Bicycle and Trails Plan shows the trail crossing Yankee Hill Road at approximately South 33<sup>rd</sup> Street and extending across this site.

**HISTORY:** Revised application was submitted **September 19, 2003**.

Planning Director's letter was sent **January 29, 2003**.

Numerous meetings were held between the applicant and staff prior to and after submittal of the preliminary plat.

Preliminary Plat was submitted **December 24, 2002**.

**UTILITIES: Water:** Water is available to this development, and the water system shown to serve it is satisfactory.

**Sewer:** The area within the proposed development can be served by gravity-fed sewer. However, the timing of the connection to the system must be coordinated with those parties responsible for extending the sewer main to the intersection of South 27<sup>th</sup> Street and Yankee Hill.

**Other:** Electricity, gas, telephone, and cable television are available and can be provided to this development.

**PUBLIC SERVICE:** After annexation, the area will become part of the Lincoln Public School District, and all public services including Police and Fire will be provided by the City. The Fire Department notes in their review concern that new developments at the edge of the city are stretching their resources and response times without new fire stations to serve those areas.

**TRAFFIC ANALYSIS:** This site is bounded by South 27<sup>th</sup> Street and Yankee Hill Road, both principal arterial streets. Access to these streets is limited except for intersections located at Whispering Wind Blvd, Wilderness Hills Blvd, Private Roadway A, Private Roadway D, South 33<sup>rd</sup> Street, and a driveway at Lot 4, Block 1. Access within the development is provided by public streets, with internal access to the office/commercial areas and the townhouse/multiple-family areas provided by private roadways.

A traffic study was completed for this development, and the recommendations of that study are being included in the conditions of this report where appropriate. Except for a portion of Yankee Hill Road adjacent to the northwest corner of this site, South 27<sup>th</sup> Street and Yankee Hill Road have not yet been improved to four-lane streets as called for in the Comprehensive Plan. These streets must be improved prior to or in conjunction with this development. Any improvements, such as additional turn lanes and traffic signals needed as a result of this development beyond those covered by impact fees, will be the responsibility of the developer.

**TOPOGRAPHY:** The site is rolling farmland, characterized by a small draw that extends southeast to northwest through the middle of the development. The ground elevation in this portion of the mile section allows the site to be connected to the city's system by gravity-fed sanitary sewer.

**BACKGROUND:** The owner has been working very closely with the City in an attempt to master plan this entire mile section. The intent was to develop an integrated concept that provided for residential, commercial and office uses along with a school site, and a light industrial employment center. It was also a goal to preserve the natural terrain, particularly the drainage across the southern portion of the section.

The portion of Section 30 that can be served by city sanitary sewer is the area included in this request. A concept plan for the remainder of the section has been developed, and the owner will seek approval at such time as sewer service is available to serve that area.

CPC#03015, which allowed the designation of a community center the intersection of South 27<sup>th</sup> Street and Yankee Hill Road, anticipated this project. The Comprehensive Plan assumes a neighborhood center in every square-mile section, in addition to the larger Commerce and Regional Centers shown at selected locations. This amendment allowed for an exchange in floor area between the Light Industrial Employment Center located on South 40<sup>th</sup> Street halfway between Yankee Hill and Rokeby Roads and the neighborhood center. The employment center was reduced by the amount the neighborhood center was increased, consistent with what is shown in the attached plan.

### **ANALYSIS:**

1. While a portion of this site (Lot 32 at the northwest corner) is within the city limit, the majority is not and must be annexed before utilities can be extended to serve the site. The owner will be required to enter into an annexation agreement, which may stipulate, among other things, financial responsibility for any required improvements not covered by impact fees. These improvements may include turn lanes and traffic signals. The owner and Public Works must determine the extent of these improvements prior to this request being scheduled for City Council.
2. Relative to the applicable waivers, Public Works offered the following comments:  
**Sewer Design:** The waiver to allow sewer to flow opposite street grades is appropriate, however it is not acceptable to allow the sewer to extend along the centerline of the private roadways as the roadway would need to be closed for maintenance.

**Sidewalks:** Public Works notes that sidewalks are needed along South 27<sup>th</sup> Street as well as Yankee Hill Road and the requested waiver is unsatisfactory. The applicant states that the designs of South 27<sup>th</sup> Street and Yankee Hill Road are to be done by the City as part of the Capital Improvement Program and that sidewalks should be part of those improvements. It is true that the sidewalks will be built with the road projects, however Title 26 (Land Subdivision) states it is the developer's responsibility to pay for sidewalks. An amendment to clarify that sidewalks along arterial streets are not covered by impact fees is currently being considered by the City Council.

3. This development will outlet to the trunk sewer originally built to serve Wilderness Ridge, west across South 27<sup>th</sup> Street. A formula was developed to be used to determine the connection fee for users of the line. This user should also be subject to the appropriate fee for connecting to that line.
4. Public Works noted traffic-study recommended turn-lane lengths for Private Road D at Yankee Hill Road (240'), and for Whispering Wind Blvd and South 27<sup>th</sup> Street (150'). A revised traffic study has since been submitted and is under review. The plans will need to be revised to show the necessary turn-lane lengths as determined by Public Works.
5. A waiver to landscaping in traffic circles and medians was requested, but there is no requirement for landscaping in these areas. However, any landscaping located within these areas beyond typical trees and turf must first be approved by the Parks and Recreation Department. A property owners association will be responsible for the maintenance of all landscaping within traffic circles, medians, boulevards, pocket parks, and outlots.
6. The Bicycle and Trail Plan provides for the trail system to extend through this area, and a crossing has been designated at South 33<sup>rd</sup> Street. This plan must be revised to show an underpass crossing at Yankee Hill Road east of South 33<sup>rd</sup> Street.
7. All streets within this development are local streets, and should be designed to function as such. Beyond what is needed to provide for turn lanes, South 33<sup>rd</sup> Street and Whispering Wind Blvd should be tapered down to the standard width of 27' for a local street.
- Waivers to setbacks for the B-2 have been requested for the front along Wilderness Hills Blvd and Yankee Hill Road. A waiver to the rear yard setback between B-2 and R-5 has also been requested. The reduction in setbacks is offset by the inclusion of two private pocket parks. The total reduction in setback amounts to approximately 2.2 acres in area, and the applicant has agreed to ensure the combined area of the pocket parks is equivalent. This is an appropriate compromise that allows for a greater utilization of the land dedicated to commercial use, but still provides an equal area for active recreation in exchange where the overall benefit to the community is roughly the same. The plan must also be revised to show that the waiver to setback in the B-2, except Lots 17 and 18, is to parking areas, not to building envelopes. Lots 17 and 18 should be limited to small office buildings to continue the concept of using office buildings as a transition.

- There is one exception, however, where the reduction in setback to 20' in the B-2 is not appropriate. Office is generally used as a buffer between commercial and residential throughout the development except Lots 9-12, Block 1 where the B-2 is adjacent to residential. In this area, the amount of screening needs to be increased to provide an adequate buffer between the commercial and residential in this area. In this area, the minimum setback should be 30'. This will allow for a staggered double-row of trees (one-half coniferous). The result should be a 100% screen at least 15' in height.
- A waiver to lot area and width is requested to allow 4,000 square foot lots 40' in width for single-family and 25' in width for two-family, and to allow 2,000 square foot lots 20' in width for townhomes, all in the R-3. The waivers are typical for a residential CUP such as this one, and will allow for greater flexibility and density in the development of the residential component.
- A waiver to building height is requested to allow buildings up to 60' in the O-3, and up to 50' in the B-2 and R-5. As part of the Comprehensive Plan Amendment, some of the rationale for allowing the additional floor area was that at least 45,000 square feet of it had to be on the second floor of buildings. These waivers will accommodate more compact development and higher floor area ratios (FAR) which are generally desired in commercial areas. The increase in height is appropriate towards the center of the commercial development, however Lots 17 and 18, Block 1 should be limited to the district height.
- As noted previously, a portion of the commercial allowed at this location was for a neighborhood center. The intent is to provide for the everyday uses such as grocery, pharmacy, and dry cleaning close to home to minimize vehicle outside the neighborhood. The "Town Center" must include at least 100,000 square feet of neighborhood retail floor area to provide for these uses.
- Sidewalks that are convenient to the residents of the R-5 residential area should be provided through the parking lots between the dwelling units and the commercial buildings in the town center. One purpose of mixed-use is to encourage pedestrian trips.

## **CONDITIONS:**

### **Special Permit #1999**

#### Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

#### 1.1 Revise the site plan to show:

- 1.1.1 General Note #16 revised to include the construction of sidewalks along South 27<sup>th</sup> Street and Yankee Hill Road.

- 1.1.2 General Note #21 revised to include pocket parks.
- 1.1.3 All private roadways named, including Private Roadway B renamed as South 28<sup>th</sup> Street, and Private Roadway C renamed as South 30<sup>th</sup> Street.
- 1.1.4 Lot 1, Block 2 and Lots 21-23, Block 1 designated for townhouse or multiple-family uses.
- 1.1.5 Revise General Note #18 to delete the last sentence referring to subdivision area signs.
- 1.1.6 Move the two notes relating to the pocket parks on Sheet 2 of 17 to the General Site Notes on Sheet 1 of 17. Provide and show that the private pocket parks are increased in area by have a total of approximately 2.2 acres (excluding stormwater detention facilities, each park roughly one acre in area) ~~(each park increased by roughly one acre in area)~~ and showing recreational equipment to the satisfaction of the Parks and Recreation Department. **(\*\*Per Planning Commission, at the request of the applicant and agreed upon by staff, 11/12/03\*\*)**
- 1.1.7 Show the trail connection with underpass east of South 33<sup>rd</sup> Street.
- 1.1.8 South 33<sup>rd</sup> Street as a 27' wide local except to allow for the required turn lanes at the intersection with Yankee Hill Road.
- 1.1.9 The note identifying the 'Section Line' modified to read '1/4 Section line'.
- 1.1.10 Required utility easements noted in the October 3, 2002 L.E.S. review.
- 1.1.11 Add a note stating that homes will not take access or have garage doors facing Wilderness Hills Boulevard ~~but will have~~ unless their primary facades is facing Wilderness Hills Blvd. Otherwise, the facade facing Wilderness Hills Blvd. will have multiple window openings and be constructed of similar materials as the primary facade. **(\*\*Per Planning Commission, at the request of the applicant and agreed upon by staff, 11/12/03\*\*)**
- 1.1.12 ~~Show~~ Add a Note stating that applicant agrees to show, at the time of the platting of the R-5 District to the east of the Town Center, pedestrian sidewalks and pedestrian way easements through the parking lots east of the Town Center connecting the dwelling units in



the R-5 district to the Town Center. The final location of said sidewalks may be changed at the time of the development of the R-5 District with the approval of the Planning Director. **(\*\*Per Planning Commission, at the request of the applicant and agreed upon by staff, 11/12/03\*\*)**

1.1.13 Modify C.U.P. Site Note #4 to also include Lot 1, Block 2.

1.2 Make revisions and corrections noted in the Public Works and Utilities and Watershed Management reviews to the satisfaction of Public Works and Utilities.

2. This approval permits 640 single family, townhouse and multiple-family dwelling units, with waivers to preliminary plat process, to minimum lot area and lotwidth to allow 4,000 square foot lots 40' in width for single-family and 25' in width for two-family, and to allow ~~2,000~~ 1,800 square foot lots ~~20'~~ 18' in width for townhomes, all in the R-3, and to building height from 35' to 50' in the R-3 and R-5. The waiver of the preliminary plat process shall only be effective for a period of ten (10) years from the date of the city's approval, and shall be of no force or effect thereafter. If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations. **(\*\*Per Planning Commission, at the request of the applicant and agreed upon by staff, 11/12/03\*\*)**

General:

3. Before receiving building permits:
- 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies showing the following revisions and the plans are acceptable:
- 3.2 The construction plans shall comply with the approved plans.
- 3.3 Final Plats shall be approved by the City.

Standard:

4. The following conditions are applicable to all requests:
- 4.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
- 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.

- 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Brian Will, AICP  
Planner  
October 30, 2003

**APPLICANT/  
OWNER:**

Gerald Maddox  
Lincoln Federal Bancorp, Inc.  
1101 N Street  
Lincoln, NE 68508

**CONTACT:**

J. Michael Rierden  
645 M Street  
Lincoln, NE 68508

**ANNEXATION NO. 02012;  
CHANGE OF ZONE NO. 3423;  
SPECIAL PERMIT NO. 1999,  
WILDERNESS HILLS COMMUNITY UNIT PLAN;  
and  
USE PERMIT NO. 154**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

November 12, 2003

Members present: Larson, Carlson, Bills-Strand, Marvin, Duvall, Taylor, Krieser and Steward.

Staff recommendation: Approval of the annexation, subject to an annexation agreement; approval of the change of zone; and conditional approval of the community unit plan and use permit.

Ex Parte Communications: None.

Proponents

**1. Mike Rierden** appeared on behalf of the applicants, presenting this first phase in a rather large development. His client has either fee simple title or land under contract for this entire section, with the exception of a portion in the lower southern corner. This proposal seeks to develop about 112 acres of the total mixed used development of approximately 580 acres.

Rierden explained that the changes of zone are for R-3 (to allow residential development to urban density, basically single family and townhomes); over to the east would be R-5 (higher density residential allowing for apartment and multi-family or townhome development). One of the goals of the Comprehensive Plan is to have higher density residential next to commercial. Going to the west, there is some B-2, which would allow for commercial development--retail, office, restaurants, etc., and then over on the 27<sup>th</sup> Street side would be the O-3 zoning, which allows for office buildings and which would be a good buffer for the properties to the west across 27<sup>th</sup> Street. Up in the corner of the B-2 zoning would be a landmark such as you see on the golf course with a waterfall, boulders, and moving water to fit well within the theme already developed on the property to the west.

Rierden stated that the developer has not yet determined whether the R-5 will be multi-family or townhomes. However, one of the conditions of approval requires paths or pedestrian easements to hook the R-5 to the town center, located on what would be 30<sup>th</sup> Street, and then the rest of the retail development would be larger buildings and parking. The office and restaurant uses would be along Yankee Hill Road and there will be office uses along 27<sup>th</sup> Street. The balance of the residential would be R-3 in character.

Rierden explained that one of the signatures of this development is going to be a boulevard extending from 27<sup>th</sup> Street east almost over to 40<sup>th</sup> Street that will hook up with one of the other

elements of this master plan, which would be an employment center. The R-3 would be single family or townhomes.

With regard to the “town center”, Rierden believes this will be unique to Lincoln – it is a design lifestyle living with a significant amount of outdoor eating and coffee shops, neighborhood type retail uses, with a circle in the middle for people to gather, which could be blocked off for festivals—a real pedestrian oriented type of town center.

Rierden also submitted design criteria for the town center to which the developer has committed. Rierden then submitted proposed amendments to the conditions of approval which he believes the developer and the staff have agreed upon.

Steward inquired whether the developer has any notions for residences above the retail in the town center. Rierden indicated that they do have thoughts about having office above but have not discussed residential units on the upper floor; however, he believes it could be considered. Right now there is a provision for some office on the second floor of the town center.

With regard to the amendments to the conditions of approval submitted, Rierden deleted “and pedestrian way easements” from his amendment to Condition #1.1.12 of the special permit and Condition #1.1.13 of the use permit. He also suggested adding, “each containing approximately one acre” to the amendment to Condition #1.1.3 of the use permit.

Rierden also noted that the use permit Conditions #1.1.2 and #1.1.15 talk about the design criteria being applicable to “all buildings” in the B-2 zoning. Rierden requested that the language be changed to specify that it is applicable to the “town center buildings”. He also noted that staff wants to make sure the buildings outside of the town center do follow a certain design criteria. The developer has not had time to develop anything for the retail boxes or office buildings and restaurants. Therefore, Rierden proposed adding Condition #1.1.17 to the use permit, “Design criteria for the other buildings in the community center, other than the town center, will be developed by the applicant with written approval of the Planning Director”.

The applicant withdrew the waiver requests to which the staff has recommended denial, i.e. sidewalks and sanitary sewer design standards to allow sewer to flow under the centerline of the roadway.

Carlson recalled that some floor area was shifted from the employment center over to the new commercial area. Rierden acknowledged that they have switched the Community Center to 27<sup>th</sup> & Yankee Hill Road. Brian Will of Planning staff explained that the previous Comprehensive Plan amendment did reduce the light industrial employment center on the west side of this square mile section, and moved it to this corner. In addition, this corner was allowed to include a neighborhood center that is planned for every square mile section. Rierden added that there are approximately 77 acres on 40<sup>th</sup> Street for the employment center; however, the developer is in discussion with staff on that because there are some drainage issues in that particular area so it may not end up being 77 acres. In approving this, Carlson believes we have removed the opportunity somewhere else, and Rierden does not believe that to be true.

**2. Christine Jackson**, 9030 Whispering Wind Road in Wilderness Ridge, submitted comments received from residents of Wilderness Ridge. The Wilderness Ridge residents are supporting this proposal, with some reservations. They commend the developer for looking at the entire section at once.

--They do have concerns regarding the size of the development. It was originally showed to the Wilderness Ridge residents as 325,000 sq. ft. – if we add the area to the north (currently planned), it is becoming a very sizable development. When compared to SouthPointe, it does start to look like a pretty large development by adding the community center.

--The Wilderness Ridge residents have talked with the developer about box stores and it was indicated that they are not looking at large box stores such as Walmart, nor quite the size of Kohl's on 84<sup>th</sup> Street.

--Another neighborhood concern is landscaping and appropriate screening along 27<sup>th</sup> Street, and Jackson believes this issue has been addressed.

--Lighting is an issue because the Wilderness Ridge neighbors like their rural standards. Jackson pointed out that there was some agreement previously with Williamson Honda to reduce the lighting after the businesses have closed, and she would like to see the same consideration for the dimming of the lights in this development.

--The neighbors are very supportive of the sidewalks. They would like to see this as a very walkable area.

--The neighbors would like consideration for school buses and transit bus stops. They do not have any in Wilderness Ridge at this time.

--The builder has noted his intention to use monument signs and no pole signs, which the neighbors support.

--Jackson requested that the Planning Commission carefully consider the city services that extend to the southern border of the city. There are fire and safety issues and the neighbors would like to see that type of planning for this area of the city.

--Traffic is a concern. 27th and Yankee Hill is going to be a very large intersection with a lot of traffic. Jackson requested that there be parallel planning of the streets as well as the development in a parallel fashion instead of development coming first and the streets coming later. She also requested that there be a traffic study. Now is the time to try to make decisions and changes if needed. We know that 27<sup>th</sup> Street will be a major south entrance to the city from the beltway and we know that there is some discussion regarding how those entryways to the city would look. There should be opportunity to work with the developers on this issue.

There was no testimony in opposition.

## Response by the Applicant

With regard to Dr. Jackson's comments, Rierden stated that the developer will continue to work with the neighborhood and will look into the options for lighting, etc.

Carlson asked Rierden whether there are conditions to address the neighborhood comments about the maximum single building floor area. Rierden stated that there are no conditions; however, the staff report indicates an allowable maximum amount of square footage and the developer is allowed to allocate that total as the developer deems appropriate and as the market dictates. Steward suggested that the applicant note the neighborhood's preference. Rierden agreed and said that they would try to take that into consideration. These use permits are presented with the building envelopes, and as long as the developer does not try to go beyond the total square footage allowable, there are changes that are made. Rierden assured that the developer will keep the neighborhood concerns well in mind.

Bills-Strand stated that she is a resident of Wilderness Ridge and inquired about the a traffic study for this area. With the closing of 14<sup>th</sup> Street we're starting to see what it is going to be like. Brian Will of Planning staff advised that the applicant was required to do a traffic study with this proposal. Relative to improvements to South 27<sup>th</sup> and Yankee Hill Road, those are going to be city-funded projects in the CIP. Chad Blahak of Public Works further advised that Yankee Hill will now be paved from 27<sup>th</sup> to 40<sup>th</sup>. As far as widening or improvements, Blahak suggested that typically, with a development that abuts existing rural cross-sections with major entrances, Public Works does require deceleration lanes. With this one, Public Works is suggesting that the widening of 27<sup>th</sup> Street and Yankee Hill Road be built in conjunction with the commercial development. These streets are in the current CIP. The CIP schedule shows 27<sup>th</sup> Street from Pine Lake Road to Rokeby in the 2005-06 construction schedule, which does not take into account available funding, and then Yankee Hill Road from 27<sup>th</sup> to 40<sup>th</sup> was shown in the 2003-04 or 2004-05 construction schedule, still dependent on funding.

Bills-Strand inquired whether the paving of 40<sup>th</sup> Street will be extended to Yankee Hill Road to take some of the traffic off of 27<sup>th</sup> Street. Blahak indicated that to be part of the 27<sup>th</sup> to 40<sup>th</sup> Yankee Hill project. We know where the signals are recommended to be located.

Steward inquired about police and fire stations, even though it is beyond the scope of this application but was mentioned by Dr. Jackson. Brian Will stated that, as with all preliminary plats, Police and Fire are included in the review process. We make sure they are given the opportunity to start looking at procuring sites before development occurs. Police and Fire have reviewed this proposal and are not interested in securing any future fire stations in this square mile. However, with the applicant having a development concept plan for the entire mile section, a part of the process included involving LPS, which is looking at a future school site within this section. We have made provision where necessary for those public facilities.

## **ANNEXATION NO. 02012**

### **ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

November 12, 2003

Taylor moved approval, subject to an annexation agreement, seconded by Bills-Strand and carried 8-0: Larson, Carlson, Bills-Strand, Marvin, Duvall, Taylor, Krieser and Steward voting 'yes'.

**CHANGE OF ZONE NO. 3423**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

November 12, 2003

Taylor moved approval, seconded by Carlson and carried 8-0: Larson, Carlson, Bills-Strand, Marvin, Duvall, Taylor, Krieser and Steward voting 'yes'.

**SPECIAL PERMIT NO. 1999,**

**WILDERNESS HILLS COMMUNITY UNIT PLAN.**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

November 12, 2003

Taylor moved to approve the staff recommendation of conditional approval, with the amendments proposed by the applicant, seconded by Carlson and carried 8-0: Larson, Carlson, Bills-Strand, Marvin, Duvall, Taylor, Krieser and Steward voting 'yes'.

**USE PERMIT NO. 154**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

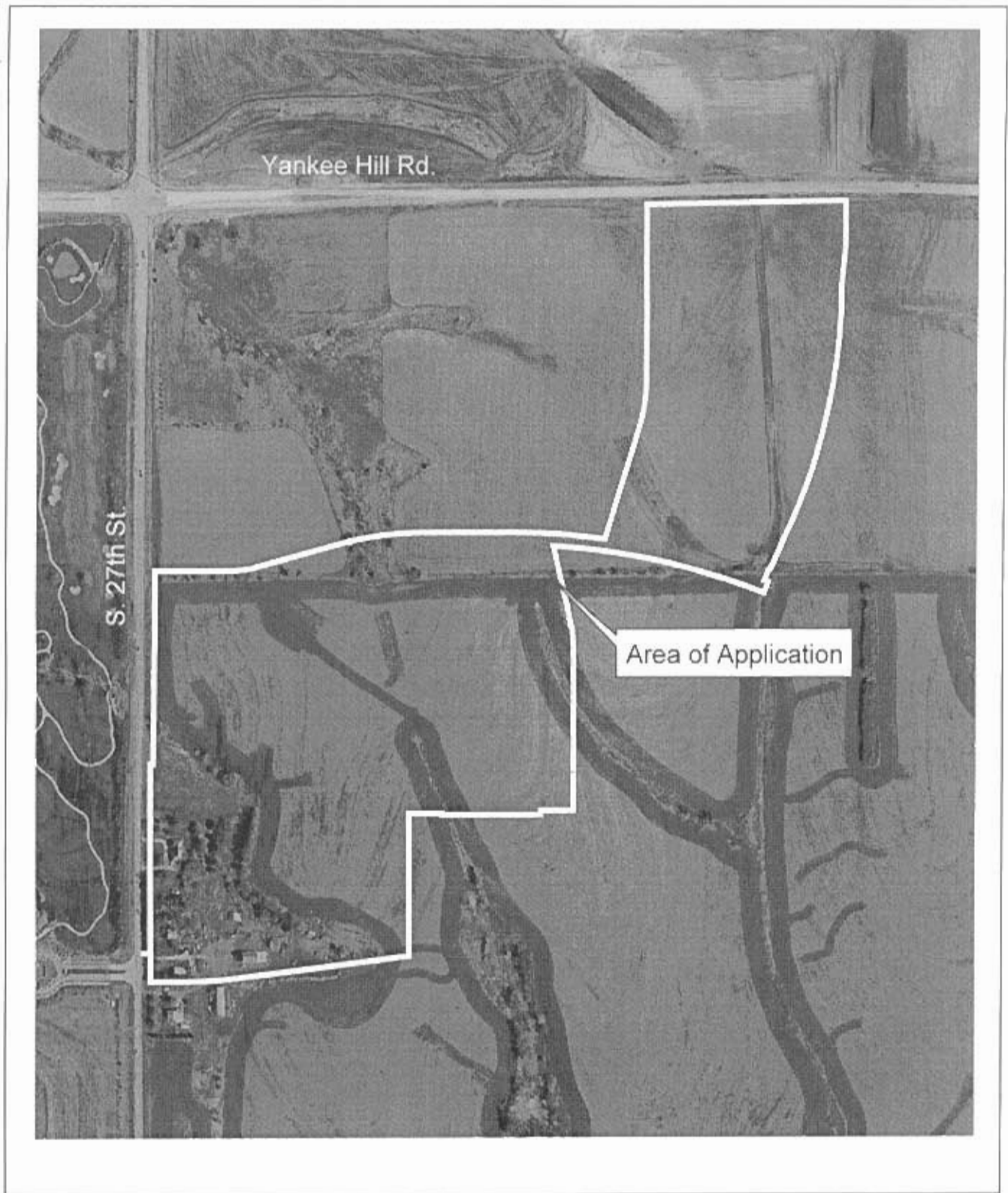
November 12, 2003

Taylor moved to approve the staff recommendation of conditional approval, with the amendments proposed by the applicant, seconded by Marvin.

Carlson commended the developer for the "forward thinking" as far as design with the town center, mixed use, and connecting the multi-family with direct pedestrian access, ultimately pulling people into that area. In general, Carlson urged the judicious use of the floor area.

Steward added his personal encouragement that as long as we're modeling and stretching the envelope for design like the town center, that the mixed use opportunities be considered as much as possible. He thinks we are ready for that in this community and this would be a great opportunity for it to be seen and understood.

Motion carried 8-0: Larson, Carlson, Bills-Strand, Marvin, Duvall, Taylor, Krieser and Steward voting 'yes'.



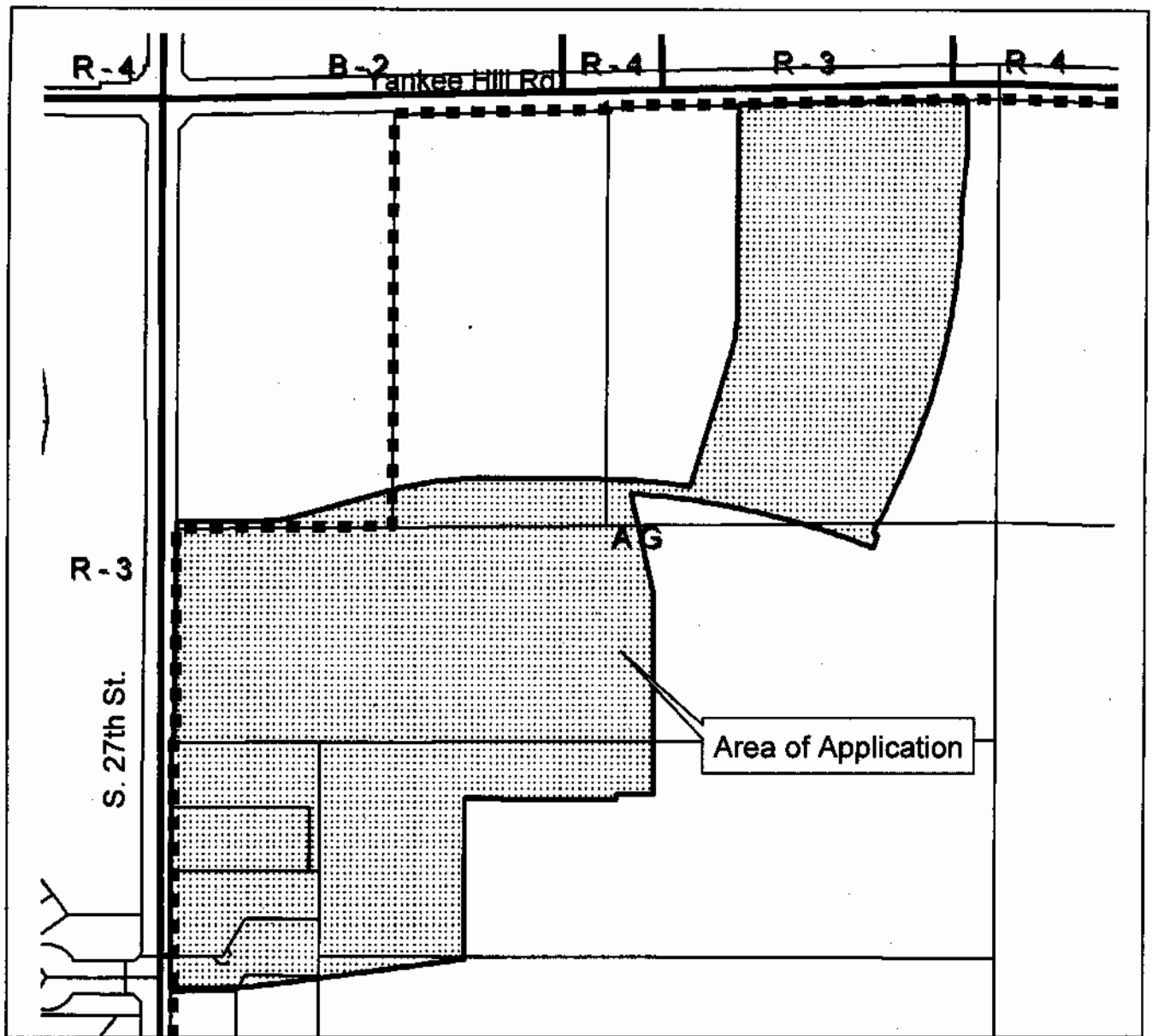
**Special Permit #1999**  
**S. 27th St. & Yankee Hill Rd.**



**016**

Lincoln City - Lancaster County Planning Dept  
2002 aerial



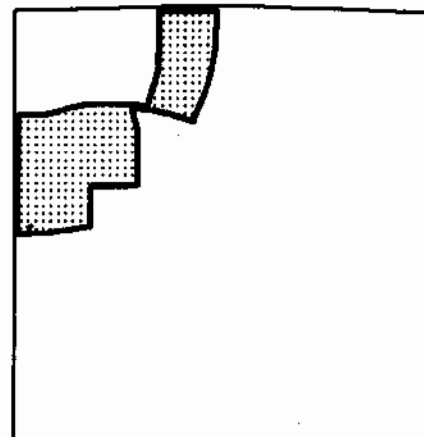
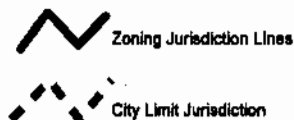


## Special Permit #1999 S. 27th St. & Yankee Hill Rd.

### Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-6	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
Sec. 30 T09N R7E



017

**LEGAL DESCRIPTION cup boundary**

A tract of land located in the Northwest and Southwest quarter of section 30, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska. More particularly described as follows:

Referring to the Northwest corner of said Northwest quarter; thence S00°03'13"E on an assumed bearing along the west line of said Northwest quarter, a distance of 1,301.18 feet; thence N89°56'47"E, a distance of 50.00 feet to a point on the east right-of-way line of South 27th Street, said point also being the point of beginning; thence N89°50'48"E, a distance of 263.39 feet to the point of curvature of a radial curve to the left having a central angle of 15°00'00", a radius of 400.00 feet, an arc length of 104.72 feet, a chord length of 104.42 feet and a chord bearing of N82°20'48"E; thence along said curve, a distance of 104.72 feet; thence N74°50'48"E, a distance of 296.68 feet to the point of curvature of a radial curve to the right having a central angle of 15°00'00", a radius of 1,200.00 feet, an arc length of 314.16 feet, a chord length of 313.26 feet and a chord bearing of N82°20'48"E; thence along said curve, a distance of 314.16 feet; thence N89°50'47"E, a distance of 316.69 feet to the point of curvature of a radial curve to the right having a central angle of 07°57'59", a radius of 2,600.00 feet, an arc length of 361.50 feet, a chord length of 361.21 feet and a chord bearing of S86°10'13"E; thence along said curve, a distance of 361.50 feet; thence N17°23'24"E, a distance of 419.88 feet to the point of curvature of a radial curve to the left having a central angle of 17°32'36", a radius of 530.00 feet, an arc length of 162.28 feet, a chord length of 161.65 feet and a chord bearing of N08°37'06"E; thence along said curve, a distance of 162.28 feet; thence N00°09'12"W, a distance of 619.81 feet to a point on the south right-of-way line of Yankee Hill Road; thence N88°45'38"E on said right-of-way line, a distance of 706.31 feet; thence S00°02'28"W, a distance of 161.04 feet; thence S05°44'43"W, a distance of 140.69 feet to the point of curvature of a non tangent curve to the right having a central angle of 25°02'01", a radius of 2,033.00 feet, an arc length of 888.25 feet, a chord length of 881.20 feet and a chord bearing of S12°29'26"W; thence along said curve, a distance of 888.25 feet; thence S25°00'27"W, a distance of 151.43 feet; thence S69°21'56"E, a distance of 8.74 feet; thence S20°38'04"W, a distance of 87.08 feet; thence N69°21'41"W, a distance of 15.52 feet to the point of curvature of a non tangent curve to the left having a central angle of 17°16'22", a radius of 2,558.00 feet, an arc length of 771.16 feet, a chord length of 768.24 feet and a chord bearing of N77°59'36"W; thence along said curve, a distance of 771.16 feet; thence S13°28'51"E, a distance of 221.69 feet; thence S12°35'31"E, a distance of 83.37 feet; thence S02°58'55"E, a distance of 79.47 feet; thence S00°07'52"E, a distance of 558.72 feet; thence S89°56'50"W, a distance of 120.00 feet; thence S00°07'52"E, a distance of 15.60 feet; thence S89°52'08"W, a distance of 360.00 feet; thence N00°07'52"W, a distance of 5.02 feet; thence S89°52'08"W, a distance of 120.00 feet; thence S00°07'52"E, a distance of 500.68 feet to the point of curvature of a non tangent curve to the left having a central angle of 01°47'32", a radius of 1,898.24 feet, an arc length of 59.38 feet, a chord length of 59.37 feet and a chord bearing of S83°46'12"W; thence along said curve, a distance of 59.38 feet; thence S82°52'26"W, a distance of 566.38 feet to the point of curvature of a radial curve to the right having a central angle of 07°10'02", a radius of 1,542.00 feet, an arc length of 192.89 feet, a chord length of 192.77 feet and a chord bearing of S86°27'27"W; thence along said curve, a distance of 192.89 feet; thence N89°57'32"W, a distance of 116.47 feet to a point on the east right-of-way line of South 27th street; thence along said right-of-way line for the next five courses; N00°00'55"W,

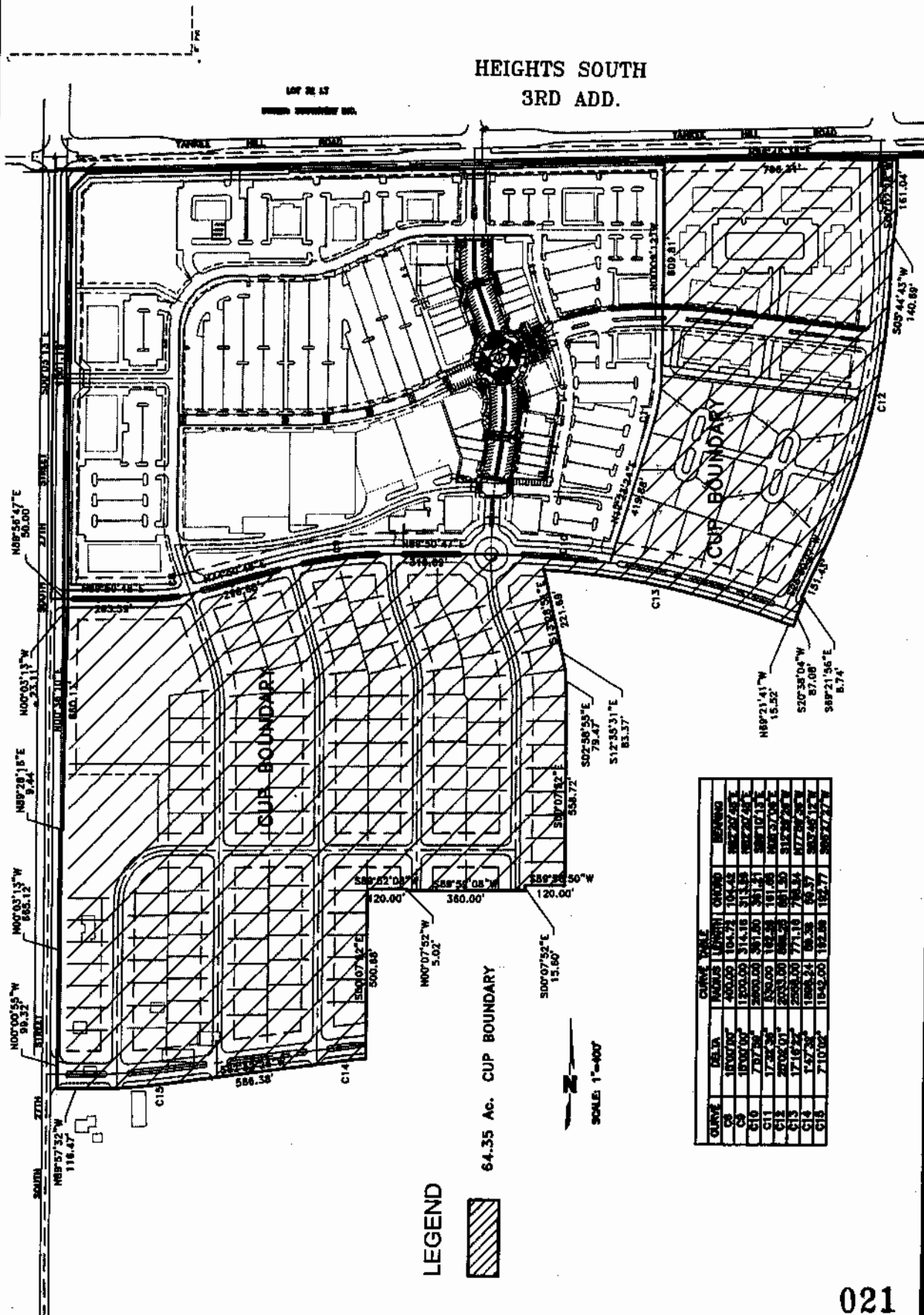
a distance of 99.32 feet; thence N00°03'13"W, a distance of 665.12 feet; thence N89°28'16"E, a distance of 9.44 feet; thence N00°36'10"E, a distance of 660.11 feet; thence N00°03'13"W, a distance of 23.11 feet to the point of beginning.

Containing 2,803,164.00 square feet or 64.3518 acres, more or less.

END OF DESCRIPTION.



WILDERNESS  
RIDGE  
ADD.



# HEIGHTS SOUTH 3RD ADD.

LEGEND



64.35 Ac. CUP BOUNDARY

SCALE: 1"=400'

CURVE	DELTA	ARC LENGTH	CHORD	BEARING
C8	180°00'	400.00	104.72	104.43
C9	180°00'	1200.00	314.18	51.88
C10	72°00'	360.00	94.25	51.81
C11	172°00'	520.00	128.28	181.85
C12	202°00'	250.00	66.53	51.75
C13	171°00'	250.00	77.11	78.34
C14	157°00'	180.00	50.38	50.37
C15	71°00'	180.00	102.86	102.77

630 N. Collier Blvd.  
Ste. 105  
Lincoln, NE 68505  
Ph. 402-464-4011

EDC

WILDERNESS HILL  
CUP BOUNDARY EXHIBIT

Lincoln, Nebraska

Drawn By: BT  
Dwg.: WilderHill\_Cupbou  
Date: 9/18/03

SHEET  
1 OF 2

# **C.U.P./ USE PERMIT**

## **GENERAL SITE NOTES**

1. ALL SANITARY SEWERS AND WATER MAINS ARE TO BE PUBLIC.
2. SANITARY SEWER AND WATER LINES TO BE 8" AND 6" PVC PIPE, RESPECTIVELY, UNLESS OTHERWISE SHOWN AND TO BE BUILT TO CITY OF LINCOLN SPECIFICATIONS.
3. ORNAMENTAL STREET LIGHTING ALONG ALL PUBLIC STREETS SHALL BE IN ACCORDANCE WITH L.E.S. REGULATIONS.
4. BLANKET EASEMENTS, EXCLUDING BUILDING ENVELOPES ARE GRANTED ON ALL OUTLOTS.
5. AS PART OF THE FINAL PLAT, BLANKET UTILITY AND/OR SPECIFIC UTILITY EASEMENTS WILL BE PROVIDED TO THE SATISFACTION OF L.E.S.
6. ANY RELOCATION OF EXISTING L.E.S. FACILITIES WILL BE AT DEVELOPER'S EXPENSE.
7. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION AND FURTHER TO SUBMIT A SEEDING AND MAINTENANCE SCHEDULE BEFORE SITE GRADING IS COMPLETE.
8. WITH EXCEPTION OF INSTALLATION, REPAIR AND DEVELOPMENT OF ROAD IMPROVEMENTS, STORM WATER AND DRAINAGE IMPROVEMENTS AND UTILITIES APPROVED WITH THIS C.U.P. AND USE PERMIT, ALL WETLANDS AND NATURAL DRAINAGE WAYS NOT SHOWN TO BE GRADED, ARE TO BE PRESERVED.
9. WITH THE EXCEPTION OF THE DEVELOPER'S OR HOMEOWNER'S RIGHT TO THIN AND TRIM TREES, REMOVE DEAD, DOWNED AND DISEASED TREES; FOR INSTALLATION, REPAIR, DEVELOPMENT AND CONSTRUCTION OF ROAD IMPROVEMENTS, STORM WATER, DRAINAGE IMPROVEMENTS, UTILITIES, SIDEWALKS AND HOMES APPROVED WITH A PLAT, BUILDING PERMIT, C.U.P. OR USE PERMIT, ALL TREES NOT SHOWN TO BE REMOVED SHALL BE PROTECTED AND PRESERVED.
10. DURING CONSTRUCTION ACTIVITIES ALL TREES OR TREE MASSES TO BE PRESERVED SHALL BE CLEARLY MARKED.
11. LOT DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY UP TO 10 FEET.
12. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
13. ALL PAVING RADII IS TO BE 20 FEET UNLESS OTHERWISE NOTED.
14. ALL INTERSECTION ANGLES SHALL BE 90° UNLESS OTHERWISE NOTED.
15. ALL ELEVATIONS ARE BASED ON NAVD 1988 DATUM.
16. SIDEWALKS ARE TO BE CONSTRUCTED ALONG BOTH SIDES OF ALL PUBLIC & PRIVATE STREETS, EXCEPT SOUTH 27TH STREET & YANKEE HILL ROAD.
17. ALL SIDEWALKS ADJACENT TO STREETS ARE TO BE 4' FT. WIDE & LOCATED IN PUBLIC R.O.W. OR PUBLIC ACCESS EASEMENTS.
18. DETAILS OF ALL SIGNS, INCLUDING TYPE, LOCATION, HEIGHT AND SIZE WILL BE SUBMITTED SEPARATELY FOR REVIEW WITH THE BUILDING PERMIT. SIGNS SHALL BE PERMITTED AND LOCATED IN ACCORDANCE WITH THE CITY OF LINCOLN SIGN CODE. INDIVIDUAL SIGNS WHICH MEET THE ZONING REQUIREMENTS ARE NOT REQUIRED TO BE SHOWN ON THE SITE PLANS AND THAT NO ADMINISTRATIVE AMENDMENT WILL BE REQUIRED. SUBDIVISION AREA SIGNS AND APARTMENT COMPLEX SIGNS IN THE FRONT YARD SETBACKS WILL BE ALLOWED BY AN ADMINISTRATIVE AMENDMENT TO THE C.U.P./ USE PERMIT.
19. DIRECT VEHICULAR ACCESS TO SOUTH 27TH STREET AND TO YANKEE HILL ROAD FROM ALL LOTS IS HEREBY RELINQUISHED, EXCEPT AS SHOWN.
20. RIGHT-OF-WAY WIDTHS: REFERENCE TYPICAL STREET CROSS SECTIONS, THIS SHEET.
21. LANDSCAPING AND MAINTENANCE OF ROUNDABOUT ISLANDS AND STREET MEDIANS SHALL BE THE RESPONSIBILITY OF THE DEVELOPER AND/OR HOME OWNERS ASSOCIATION.

**22. LOTS & USE**

LOTS 1-3 & 17-20, BLK 1-PROPOSED OFFICE  
 LOTS 4-16, BLK 1-PROPOSED COMMERCIAL  
 LOTS 21, 22 BLK 1-PROPOSED MULTI-FAMILY  
 LOT 23, BLK 1-TOWNHOMES  
 LOT 1- BLK 2-PROPOSED MULTI-FAMILY  
 LOTS 2-14, BLK 2-SINGLE FAMILY  
 LOTS 1-20, BLK 3-SINGLE FAMILY  
 LOTS 1-22, BLK 4-SINGLE FAMILY  
 LOTS 1-22, BLK 5-SINGLE FAMILY  
 LOTS 1-13, BLK 6-SINGLE FAMILY  
 LOTS 1-16, BLK 7-SINGLE FAMILY  
 LOTS 1-14, BLK 8-SINGLE FAMILY  
 LOTS 1-8, BLK 9-SINGLE FAMILY  
 LOTS 1- 2, BLK 10-SINGLE FAMILY

**OUTLOTS & USE**

OUTLOT A, BLK 1-PROPOSED PARKING  
 OUTLOT B, BLK 1-PROPOSED OPEN SPACE/ STORM WATER DETENTION  
 OUTLOT C, BLK 1-PROPOSED PRIVATE PARK/ STORM WATER DETENTION

**23. TOTAL USAGE:**

131 PROPOSED SINGLE FAMILY LOTS  
 13 PROPOSED COMMERCIAL LOTS/ 7 PROPOSED OFFICE LOTS  
 2 PROPOSED MULTI-FAMILY LOTS ( 387 UNITS PROPOSED)  
 1 PROPOSED LOT FOR FUTURE TOWNHOME LOTS (LOT 23, BLOCK 1-22 PROPOSED UNITS)

100 UNASSIGNED LOTS/ UNITS

TOTAL LOTS - 154

TOTAL BLOCKS - 10

TOTAL UNITS - 640

24. GROUND SIGN LOCATIONS SHALL BE LOCATED AT SOUTH 27TH STREET AND YANKEE HILL ROAD, YANKEE HILL ROAD AND SOUTH 30TH STREET (PRIVATE ROADWAY 'D'), YANKEE HILL ROAD AND SOUTH 33RD STREET, AND SOUTH 27TH STREET AND WILDERNESS HILLS BLVD.

25. LOCATION AND LAYOUT OF BUILDINGS MAY BE CONSTRUCTED ANYWHERE WITHIN THE BUILDING ENVELOPES SHOWN.

26. ALL LANDSCAPING AND SIGNAGE WILL BE LOCATED OUTSIDE OF THE CRITICAL SITE TRIANGLE. LOCATION AND SPECIES OF LANDSCAPE TREES AND SHRUBS MAY CHANGE WITHIN THE GUIDELINES OF THE CITY OF LINCOLN PARKS DEPARTMENT, AND THE DESIGN STANDARDS FOR ZONING.

**C.U.P. DENSITY CALCULATIONS**

TOTAL AREA OF C.U.P. (R-5, EXCLUDES	863,804
<u>TOTAL ROW B-2/0-3)</u>	<u>-126,053</u>
ADJUSTED AREA	737,751
<u>AREA BEYOND 150'</u>	<u>-393,703</u>
AREA WITHIN 150'	344,048
<u>AREA BEYOND 150'</u>	<u>393,703</u>
<u>COEFFICIENT</u>	<u>x 0.8</u>
ADJUSTED BEYOND 150'	314,962
<u>AREA WITHIN 150'</u>	<u>+344,048</u>
USEABLE CUP AREA	659,010
<u>MINIMUM LOT AREA R-5</u>	<u>/1,100 SF</u>
ALLOWABLE UNITS	599

**C.U.P. DENSITY CALCULATIONS**

TOTAL AREA OF C.U.P. (R-3, EXCLUDES	1,993,453
<u>TOTAL ROW B-2/0-3)</u>	<u>-629,304</u>
ADJUSTED AREA	1,364,149
<u>AREA BEYOND 150'</u>	<u>-45,730</u>
AREA WITHIN 150'	1,318,419
<u>AREA BEYOND 150'</u>	<u>45,730</u>
<u>COEFFICIENT</u>	<u>x 0.8</u>
ADJUSTED BEYOND 150'	36,584
<u>AREA WITHIN 150'</u>	<u>+1,318,419</u>
USEABLE CUP AREA	1,355,003
<u>MINIMUM LOT AREA R-3</u>	<u>/5,000 SF</u>
ALLOWABLE UNITS	271

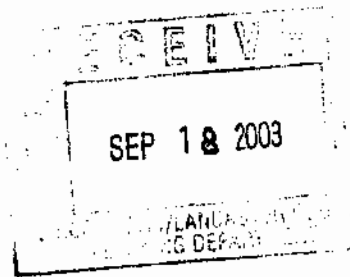
## **C.U.P. SITE NOTES**

1. THE EXISTING ZONING IS AG, THE PROPOSED ZONING IS R-3 AND R-5
2. EYES, OVERHANGS, WINDOW SWINGS, DOOR SWINGS, AIR CONDITIONER UNITS, ETC. CAN ENCROACH OVER THE SETBACK LINES. ENCROACHMENTS ARE NOT ALLOWED OVER PROPERTY LINES AND MUST CONFORM TO BUILDING AND LIFE SAFETY CODE REQUIREMENTS.
3. SITE PLAN SHOWN ON LOTS 21 THROUGH 23, BLOCK 1, IS CONCEPTUAL, AND REVISIONS TO THE LAYOUT WILL BE ALLOWED BASED ON FILING AN ADMINISTRATIVE AMENDMENT TO THE C.U.P.
4. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR LOTS 21 THROUGH 23, BLOCK 1 AND LOT 1, BLOCK 2, AN ADMINISTRATIVE AMENDMENT TO THE C.U.P. SHALL BE FILED WITH THE CITY; IN ACCORDANCE WITH CHAPTER 27.65, COMMUNITY UNIT PLAN, OF THE LINCOLN MUNICIPAL CODE.
5. THE HEIGHT OF THE BUILDINGS IN LOTS 21 AND 22, BLOCK 1 AND LOT 1, BLOCK 2 SHALL NOT EXCEED 50 FEET.
6. DEVELOPMENT SETBACKS FOR LOTS 21 & 22, BLOCK 1 AND LOT 1, BLOCK 2 ARE GOVERNED BY THE DESIGN STANDARDS FOR MULTI-FAMILY STRUCTURES AND MAY BE ADJUSTED IN CONFORMANCE WITH THOSE STANDARDS.
7. ALL SETBACKS WITHIN LOTS 21 THROUGH 23, BLOCK 1 SHALL BE IN ACCORDANCE WITH R-5 ZONING, EXCEPT AS OTHERWISE NOTED.
8. TWO-FAMILY LOTS CAN BE DEVELOPED AS SINGLE-FAMILY LOTS.



September 18, 2003

Brian Will  
Planning Department  
555 So. 10<sup>th</sup> Street  
Lincoln, NE 68508



2200 Fletcher Avenue, Suite 102  
Lincoln, Nebraska 68521

Re: Wilderness Hills CUP/Use Permit  
Resubmittal, EDC Job #02-048

Dear Brian:

Enclosed please find the following documents for the above-mentioned project. This is a resubmittal for the Preliminary Plat, Conditional Use Permit (CUP), Use Permit, Annexation and Change of Zone from AG to R-3, R-5, O-3 & B-2.

**CUP/Use Permit**

1. 12 copies of the CUP/Use Permit Cover Sheet
2. 20 copies of the CUP Site Plan
3. 12 copies of the CUP Utility Plan
4. 12 copies of the CUP Grading/Drainage Plan
5. 12 copies of the CUP Drainage Calculations
6. 1 copy of the CUP Site Plan reduced to 8 1/2" x 11"
7. 20 copies of the Use Permit Site Plan
8. 12 copies of the Use Permit Utility Plan
9. 12 copies of the Use Permit Grading/Drainage Plan
10. 12 copies of the Use Permit Drainage Calculations
11. 12 copies of the Use Permit Spot Elevation Plan
12. 12 copies Town Center Streetscape Concept / Big Box Design Criteria
13. 12 copies Town Center Streetscape Concept reduced to 11" x 17"
14. 1 copy of the Use Permit Site Plan reduced to 8 1/2" x 11"
15. 6 copies of the CUP/Use Permit Street Tree Plan
16. 5 copies of the CUP/Use Permit Street Profiles
17. 6 copies of the Wilderness Hills overall Site Plan (concept - reference only)

**Miscellaneous Documents**

1. Change of Zone application (AG to R-3, R-5, O-3 and B-2) w/Exhibits and Legals
2. Special Permit Application for a CUP
3. Use Permit Application
4. Cover Letter, Legal Description and Exhibit for Annexation Boundary
5. 1 copy of the Drainage Study
6. 1 copy of the Ownership Certificate

Under this resubmittal I am filing a request for a Conditional Use Permit (CUP), Use Permit, Annexation and Change of Zone from AG to R-3, R-5, O-3 and B-2 for Wilderness Hills, a 64-acre residential development consisting of single-family, townhouses and multi-family units and a 47-acre office/commercial center located in the southeast corner of South 27<sup>th</sup> Street and Yankee Hill Road.

**Owner / Developer**  
Gerald Maddox  
Lincoln Federal Bancorp., Inc.  
1101 'N' Street  
Lincoln, NE 68508  
402-474-1400

**Authorized Agent**  
Robert L. Dean, P.E.  
Engineering Design Consultants, L.L.C.  
2200 Fletcher Ave., Suite 102  
Lincoln, NE 68521  
402-438-4014

The following owners hold interest and/or options in the property that is adjacent to Wilderness Hills: Wilderness Ridge, Et Al, Southview Inc., Catholic Bishop of Lincoln, Lincoln Public Schools and Dr. Al Hohensee.

We are requesting the following waivers to the City of Lincoln Design Standards:

**Preliminary Plat:**

1. Waive the preliminary plat process.
2. Waiver to grant the planning director authority to approve an administrative final plat that conforms with the special permit for the community unit plan.
3. Waiver to grant the planning director authority to approve administrative final plats even though there are public streets and private roadways.

**Round-a-Bout and Blvd. Median Landscaping (Design Standards, Land Subdivision and Zoning Regulations; Title 26:**

Waiver of landscape design to defer until roadway design for Whispering Wind Blvd. and Wilderness Hills Blvd. to integrate a "themed" approach to landscaping of commercial office site.

**Front Yard Setback (Title 27, Section 27.31.090):**

Waiver of front yard setback in B-2 zone from 50 ft. to 20 ft. adjacent to Wilderness Hills Blvd. Waiver of front yard setback in B-2 zone from 50 ft. to 20 ft. adjacent to Yankee Hill Road, 60 ft. right-of-way and 50 ft. to 15 ft. adjacent to Yankee Hill Road, 65 ft. right-of-way for parking. Waiver of front yard setback in B-2 zone from 50 ft. to 20 ft. along Yankee Hill Road for Lot 4, Block 1 to allow for building canopy. Waiver request includes allowance for overhang of vehicles in the setback. The waivers are requested in exchange for setting aside and developing 2 private "pocket parks" as shown on the CUP/Use Permit Site Plans.

**Rear Yard Setback (Title 627, Section 27.31.090):**

Waiver of rear yard setback in the B-2 zone adjacent to the R-5 residential area from 50 ft. to 20 ft. Waiver request includes allowance for overhang of vehicles in the setback. The waivers are requested in exchange for setting aside and developing 2 private "pocket parks" as shown on the CUP/Use Permit Site Plans.

**South 27<sup>th</sup> Street/Yankee Hill Road Sidewalk (Design Standards, Land Subdivision Regulations, Title 26):**

Waiver for installation of sidewalks along the east side of South 27<sup>th</sup> Street and the south side of Yankee Hill Road. The design of street improvements for South 27<sup>th</sup> Street and Yankee Hill Road are being handled by the City of Lincoln through it's capital improvements program. Installation of sidewalks should be a part of those improvements.

**Lot Area / Lot Width (Title 27, Section 27.15.080 (R-3) and 27.19.080 (R-5)):**

R-3 Zone. Waiver to allow 4,000 sq. ft. lot area and 40 ft. wide lot for single-family and 25 ft. wide lot per family for 2-family. Waiver to allow townhouses in R-3 zone with lot area of 2,000 sq. ft. per family and lot width of 20 ft. per family.

R-5 Zone. Waiver to allow 4,000 sq. ft. lot area and 40 ft. wide lot for single-family and lot area of 2,000 sq. ft. per family for townhouse lots.

The waivers are requested to allow greater flexibility in the future to meet the wide range of housing products offered by the local builders and to allow higher density within the R-3 and R-5 zones.

**Building Height (Title 27, Section 27.19.080 (R-5); 27.15.080 (R-3); 27.27.070 (O-3) and 27.31.090 (B-2)):**

Waiver of building heights from 45 ft. to 60 ft. in the O-3 zone, from 40 ft. to 50 ft. in the B-2 zone and from 35 ft. to 50 ft. for lots 21/22, Block 1 (R-5 zone) and Lot 1, Block 2 (R-3 zone). The waivers are requested to allow for multiple story office and apartment buildings in the O-3 zone, and R-3/R-5 zones, and greater flexibility in architectural design for the big box and town center buildings in the B-2 zone.

**Sewer Main Design (Design Standards, Land Subdivision Regulations, Title 26):**

Waiver to allow sanitary sewer to run opposite street grades. Waiver to allow sanitary sewer within the R-5, O-3 and B-2 zones to be located along the center of the private roadways. The waiver to allow sanitary sewer to run opposite street grades is requested to reduce the amount of pipe installed and to eliminate pipe in streets that aren't required to provide lateral service to the lots. Maximum depth of 15 ft. will not be exceeded. The waiver to allow the sanitary sewer to be placed at the centerline of the private roadways is requested due to site constraints and to minimize the width of the public access/utility easement.

If you have questions or concerns, please contact me at 438-4014.

Sincerely,

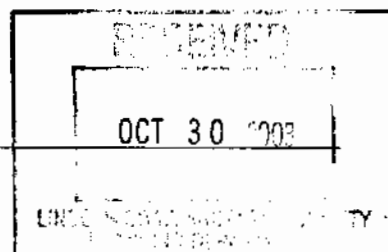


Robert L. Dean, P.E.  
Principal

RLD/kle

Enclosures

# Memorandum



**To:** Brian Will, Planning Department

**From:** CB Chad Blahak, Public Works and Utilities  
Dennis Bartels, Public Works and Utilities

**Subject:** Wilderness Hills Preliminary Plat

**Date:** October 29, 2003

**cc:** Randy Hoskins

Engineering Services has reviewed the preliminary plat and CUP for Wilderness Hills, located on the southeast corner of South 27th Street and Yankee Hill Road and has the following comments:

- 1 Water Main - The water system is satisfactory.
- 2 Sanitary Sewer - Timing of the 8" sanitary sewer in South 27th Street north from the outfall to Yankee Hill Road connection will need to be coordinated with party responsible for extending sewer to the intersection of South 27th Street & Yankee Hill Road.

Public Works approves the requested waiver of design standards for sewer to run opposite street grades. Public Works does not approve the requested waiver of design standards for sewer to run on centerline of private roadway to save easement width. This will hinder access to the sewer for maintenance. The commercial streets would need to be closed to access the manholes during maintenance.

Easements are needed for all sanitary sewers outside of the dedicated public streets.

This plat outlets to the trunk sewer built to serve Wilderness Ridge. A connection fee per the previously applied formula should be required.

- 3 Show existing culverts in 27th Street and proposed storm sewer in Yankee Hill Road and at the intersection of Yankee Hill and South 27th.

Show the locations of the outlet structures in the proposed detention cells. Also show how the outlet structures will connect to existing and future storm systems.

Show that the excess storm runoff for the 100 year storm from Wilderness Hills Boulevard onto South 27th will not adversely effect South 27th in terms of depth of flow in a major arterial street.

This developer needs to provide a guarantee that detention will be constructed for the areas included in this CUP that drain to proposed detention cells outside of the limits of this plat.

A 2% minimum grade needs to be provided in the detention areas as per design standards.

Show assumed grades and paving in South 27th Street and Yankee Hill Road based on an urban cross section and show appropriate site grading to tie into the assumed grades.

4. Streets - Street names need to be provided for the proposed private roadways

The K values for vertical curves in South 30th at Sta 1+59 and 2+39 do not meet design standards and need to be revised.

The traffic study provided by Ehrhart Griffin and Associates for this project shows a recommended north to west bound left turn lane length of 240' for Private Roadway 'D' at the intersection with Yankee Hill Road. The turn lane shown is less than 100' in length due to the intersection with Private Drive F. The traffic study also indicates that the west to south bound left turn lane in Whispering Wind Boulevard needs to be 150' in length. There is only 120' of turn lane shown on the plan due to the Adobe Street intersection. These discrepancies will need to be addressed prior to Public Works approval. The full buildout lane configurations in the traffic study must be met with the design of this plat. Revised roadway and lot configurations may be required.

The street cross section in Whispering Wind Road and the intersection of South 27th Street must be revised to match existing section on the opposite side of the intersection. The street cross-section of 33rd and 30th streets also need to be revised and detailed to match the approved streets on the north side of Yankee Hill Road. The existing and approved geometry for streets on the west side of 27th and north side of Yankee Hill must be shown.

Sidewalks are needed along 27th Street and Yankee Hill Road as well as interior local streets. The requested waiver is unsatisfactory. The developer is responsible for these sidewalks.

The traffic study submitted for this development acknowledges that upon full development of this plat, the capacity of 27th will be exceeded for the existing and proposed 4 lane cross-section between Yankee Hill Road and Old Cheney Road.

Responsibility for construction of paving and traffic signal improvements caused by this development must be determined and be included in an annexation and zoning agreement. Any improvements not theoretically included in impact fees should be paid for by this development. Yankee Hill Road and 27th Street adjacent to this development must be built to an urban cross-section prior to or in conjunction with this development.

5 General - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection between the storm sewer inlets and the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

**PUBLIC WORKS AND  
UTILITIES DEPARTMENT**



**MEMORANDUM**

**Date:** October 20, 2003

**To:** Brian Will  
**cc:** Ben Higgins, Chad Blahak

**From:** Devin Biesecker

**Subject:** *Wilderness Hills*

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Watershed Management has reviewed the plans for Wilderness Hills CUP. Comments are based on a 17 sheet plan set and hydrology report stamped Sept 18, 2003 by the Planning Dept.

1. City of Lincoln Design Standards states that detention facilities should be graded to prevent standing water conditions with a minimum 2% bottom slope for all unpaved areas. The grading plan shows Outlot 'C' as having slopes less than 2% in some areas.
2. There are two storm water systems that outlet to the south without detention. It is stated in the letter included with the plan set that detention for this area would be accounted for in future development to the south. However, development in this area may be several years away. Watershed Management recommends that temporary detention either with a detention pond or by creating swales with checks should be used at this location to prevent erosion downstream.
3. Minimum opening elevations are needed for the lots adjacent to Outlot 'C'
4. There are areas in Block 4 shown on the grading plan that have slopes less than 2%. Provide flow direction arrows on appropriate lot lines as stated in Section 26.15.020(b) of the Lincoln Subdivision Ordinance. To aid in preventing future drainage problems along lot lines in this development it is recommended that flow direction arrows be shown along all single family lots.
5. There are several storm water systems shown in private streets. If the storm water systems are also private it should be noted on the plans.
6. City of Lincoln design standards require a 10 year frequency for the design storm in commercial areas. A 5 year frequency was used for the commercial areas of this development.
7. The hydrology study has several areas that need further explanation. Public Works and Utilities will meet with the design engineer to discuss these issues.

# Memo



**To: Brian Will, Planning Department**

**From: Mark Canney, Parks & Recreation**

**Date: September 30, 2003**

**Re: Wilderness Hills SP 1999**

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Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and the following comments:

1. Developer and/or home owners association responsible for the maintenance of all outlot areas, medians, traffic circles, boulevards, and parkways associated with the development.
2. Any landscape in public right of way that is not a "basic" landscape (trees & turf) is considered an "enhanced" landscape and must go through proper channels for approval including a written agreement with the City of Lincoln accepting responsibility for the initial expense and ongoing maintenance associated with the "enhanced" landscape.
3. A trail crossing to be a grade step crossing (underpass) and located east of 33<sup>rd</sup> Street needs to be identified.
4. Street trees need to be identified and located on all roadways.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.

INTER-DEPARTMENT COMMUNICATION



**DATE:** October 3, 2003  
**TO:** Brian Will , City Planning  
**FROM:** Sharon Theobald  
Ext. 7640  
**SUBJECT:** DEDICATED EASEMENT  
DN # 87S-30E

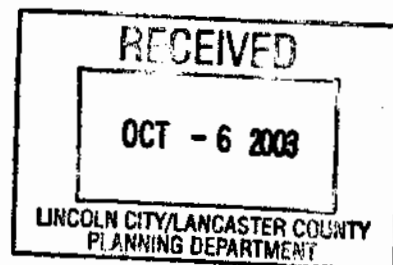
Attached is the C.U.P./Use Permit for Wilderness Hills.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easements excluding building envelopes over Block 1, Lots 21 & 22, and blanket utility easements over all of the Outlots.

*Sharon Theobald*

ST/ss  
Attachment  
c: Terry Wiebke  
Easement File





**Richard J Furasek**

**To: Brian J Will/Notes@Notes**

**10/10/2003 10:37 AM**

**cc:  
Subject: Wilderness Hills**

After reviewing the plans for special Permit #1999, Use permit # 154, and Annex. # 02012, we find it acceptable from the perspective of our department. We have access to the area and water doesn't seem to be an issue. The only concern is stretching our resources and response times to these areas without having new fire stations to provide the service that the people of Lincoln expect.

Richard J. Furasek  
Assistant Chief Operations  
Lincoln Fire & Rescue  
1801 Q Street  
Lincoln Ne. 68508  
Office 402-441-8354  
Fax 402-441-8292

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION**

<b>TO:</b> Brian Will	<b>DATE:</b> October 7, 2003
<b>DEPARTMENT:</b> Planning	<b>FROM:</b> Chris Schroeder
<b>ATTENTION:</b>	<b>DEPARTMENT:</b> Health
<b>CARBONS TO:</b> EH File EH Administration	<b>SUBJECT:</b> Wilderness Hills SP #1999 UP #154 Annex #02012

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed Wilderness Hills development with the following items noted:

- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

**MEMORANDUM**

**TO: BRIAN WILL, LINCOLN/LANCASTER COUNTY PLANNING  
DEPARTMENT**

**FROM: J. MICHAEL RIERDEN**

**RE: WILDERNESS HILLS**

**DATE: NOVEMBER 12, 2003**

As a follow up of our meeting in your office on November 10, 2003, I would propose the following, to-wit:

1. The request for a waiver to allow the sanitary sewer to be placed at the center line of the private roadways is amended to request a waiver to allow the sanitary sewer to be placed at the center line of 30<sup>th</sup> Street in the area of the Town Center.
2. We withdraw the request to waive the requirement for sidewalk along the east side of 27<sup>th</sup> Street and along the south side of Yankee Road.
3. The following amendments to Site Specific Conditions are requested:

Special Permit 1999

1.1.6 Move the two Notes relating to the pocket parks on Sheet 2 of 17 to the General Site Notes on Sheet 1 of 17. Provide and show that the private pocket parks have a total of approximately 2.2 acres with each park having a total of approximately 1 acre (excluding storm water detention facilities) showing recreational equipment to the satisfaction of the Parks and Recreation Department.

1.1.11 Add a Note stating that if homes on the lot abutting Wilderness Hills Boulevard are built with their primary façade facing a local street rather than Wilderness Boulevard then the side façade facing Wilderness Hills Boulevard will have an exterior design with windows and construction materials similar to the primary façade.

1.1.12 Show pedestrian sidewalks and ~~pedestrian way easements~~ through the parking lot east of the Town Center connecting the dwelling units in the R-5 District to the Town Center. The final location of said sidewalks

and easements may be changed at the time of the development of the R-5 District with the approval of the Planning Director.

2. This approval permits 640 single family, townhouse and multiple-family units, dwelling units with waivers to preliminary plat process, to minimum lot area and lot width to allow 4,000 square foot lots 40' in width for single-family and 25' in width for two-family, and to allow 1,800 square foot lots 18' in width for townhomes, all in the R-3, and to building height from 35' to 50' in the R-3 and R-5. The waiver of the preliminary plat process shall only be effective for a period of ten (10) years from the date of the city's approval, and shall be of no force or effect thereafter. If any final plat on all or a portion of the approved community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

#### Use Permit 154

1.1.3 Add to Note #10 "the Applicant will develop two pocket parks totaling approximately 2.2 acres (to be privately owned and maintained) in consideration for reducing the setback to the multi-family to the east and for having front yard setbacks for parking along Yankee Hill Road within the B-2 as follows: 20' setback adjacent to 60' right-of-way; and 15' setback adjacent to 65' right-of-way."

1.1.4 Revise the Site Plan and the Use Permit Note #11 to "Provide a minimum of a 30' setback along Wilderness Hills Boulevard in the B-2 area to provide for a staggered double row of trees, one-half to be coniferous or, in the alternative, provide a 20' setback and a landscape plan or south building facade design that meets with the Planning Director's prior written approval."

1.1.6 Revise the building envelope along Yankee Hill Road to be a 50' setback for building envelopes, but 20' or 15' for parking where appropriate per Condition 1.1.3 and for a detached and/or attached canopy for the anticipated bank facility.

1.1.13 Show pedestrian sidewalks ~~and pedestrian way easements~~ through the parking lots east of the Town Center connecting the dwelling units in the R-5 District to the Town Center. The final location of said sidewalks and easements may be changed at the time of the development of the R-5 District with the approval of the Planning Director.

## **City/County Planning Commission – November 12, 1:00 PM**

### **Wilderness Hills – Wilderness Ridge Neighborhood Comments**

**General Comment** - The developers should be complimented on their plan to "Master Plan" this entire mile section. While the November 12 Planning Commission action only discusses the northeast corner of this development, we are hopeful that the Planning Commission and Planning Department staff are considering this action as part of a larger development plan and are thinking more broadly. How are the edges of the development complimenting the currently developed, or shortly to be developed boundaries of this section of land? Have a new fire station and police station been planned? Knowing that there is interest in sustainable development, does this development reflect these design and development concepts? How does this development fit the City's Master Plan?

**Size of Development** – This current development is planning 325,000 of retail and office space, excluding the adjacent office buildings, restaurants, and other retail establishments along 27<sup>th</sup> Street & Yankee Hill Road. This development is a little over 50% of the retail space found at South Pointe Pavilion. Given the build out of the other adjacent corners, does total square feet of three of the corners at this intersection equal or exceed that of a regional shopping center? If yes, then why not analyze it as a regional commercial center and not as a series of interrelated community centers?

What is the market demand for all this commercial development? Is there now or is there projected in the future an "unsatisfied sales potential" requiring all this commercial space? Or will this development take business away from existing businesses such as Edgewood, Bishop Heights and downtown? Is there a market analysis demonstrating the "public good" served by this development? Is there an economic development plan for this market area?

**Building Size** – We would like to see the maximum building size to not exceed 75,000 square feet. (Note: The current Kohl's on 84<sup>th</sup> Street is 81,514 sq. ft.) Big-box stores, as are currently permitted under B-2 zoning, that are greater than 75,000 should not be permitted. Per discussions with the developer, the development, as currently envisioned, does not exceed 2-story buildings. We would like to see this included in the final zoning and permits.

**Building Form and Texture Requirements** – While we appreciated the lifestyle center design concept presented, having the same consistent design applied to building form and texture on the box retailers not located on the town center would be appreciated. The same attention to the design of the rear elevation of the box retailers should also be a requirement of the development.

**Landscaping** – Additional landscaping to provide screening along 27th street should be encouraged. The developers noted their interest in increasing the minimum landscaping requirements. Having additional landscaping specifically cited in the special permits is needed.

**Lighting** - Dimming of parking lot lights to during non-business hours is requested. Reducing the parking lot lighting ½ hour after closing, like the Williamson Honda agreement, would be appreciated. We are opposed to late night entertainment establishments that will require lights till early morning hours.

**Sidewalks** - We are very supportive of the staff's recommendation that the sidewalk requirements not be waived. Having this development as one that is "walkable" between residential and commercial developments is to be commended.

**School and Transit Bus Pickups** - Have these been incorporated into the design? In Wilderness Ridge they were not. Given that the planned residential neighborhood will have many school aged children, appropriate planning would be appreciated.

**Signage** - We would like to affirm monument signage only and then only for tenants adjacent to 27th or Yankee Hill Roads. No pole signs.

**Police and Fire Stations** - The staff reports notes that new developments at the edge of the city are stretching their resources and response times without new fire stations to serve those areas. The police department may agree. Is the Planning Commission also "master planning" the construction of these city service zones into its planning? Given this is another square mile of development; we would recommend that now is the time to set aside land for these critical city services.

**Streets & Other City Improvements** - We are concerned that construction to widen 27th Street and Yankee Hill Road, installation of street lights, trees, need to parallel the development of this corner. Without parallel construction, we envision major traffic problems and a very busy intersection at 27<sup>th</sup> and Yankee Hill Road, similar to the intersection at 27<sup>th</sup> & Pine Lake Road. We would encourage the developer to develop the Yankee Hill Road as the development's primary entrance, not 27<sup>th</sup> Street. This would compliment the other commercial development planned for 27<sup>th</sup> Street and would focus traffic away from the neighborhoods.

There should be a signalized major pedestrian crossing at 27th and Whispering Wind Blvd, with sidewalks, so that a pedestrians will be able to cross 27th and continue walking into the commercial development - both north and south - and into the residential development. Again, this will promote a walkable environment between the neighborhoods. Will residents on the east side of 27th Street be using golf carts to access the golf course? Has there been consideration of the inter-relationship between the two developments?

**Traffic** - We would encourage the Planning Commission and City/County officials to review the traffic impact on the 27<sup>th</sup> Street corridor as it relates to current and future development in the next couple of years. Also, the sight line at 27th and Whispering Wind Blvd. is dangerous now. This needs to be fixed before this development opens. We would encourage a traffic study be completed that reflects all the local development combined along 27th and Yankee Hill. What

are we going to be facing there in the future? Hopefully this study would reflect the amount of neighborhood versus community traffic and plan accordingly.

**Storm Water** - What is the total square footage of impermeable surface of this development? Will there be a net increase in storm water discharge from this site? What is the cumulative storm water discharge from all the development on the NE, NW and SE corners? Where will this storm water go? What volumes in cubic feet per second? What is the storm water quality control on all of these parking lots? What happens to all the cigarette butts, motor oil, antifreeze, rubber, Styrofoam containers and other litter? Will it be flushed across the road and eventually -- like flotsam and jetsam --- into the detention (landscaping) ponds and thus eventually into Wilderness Park? Is there a screen or at least a grill somewhere along this water course? Understanding that Wilderness Ridge Golf Course residential development had to meet stringent wastewater discharge controls to protect Wilderness Park, we are hopeful that similar discussions have occurred with the developer.

**Impact Fees** - We would request that the City use this developer's impact fees for this development to improve the streets, lighting, etc. associated with this development in a timely manner.

**South Beltway** - As part of the South Beltway, a new entrance to Lincoln will be established. It appears from all planning documents that 27<sup>th</sup> Street will be a major new entrance into the City. Has the Planning Commission begun reviewing the architectural elements, landscaping, and streetscape it wishes create from its 27<sup>th</sup> Street entrance off the Beltway? Our recommendation is that planning for this southern entrance be shared with the developers so that this development reflects the standards that City/County is embracing.

**Final Comment** - Only when we consider this proposed action in the context of the entire one square mile section being planed, will we be able to appreciate its positive and adverse impacts. We are supportive, but ask that the Planning Commission and staff continue to think long-term about the development in a broader context versus "planning" this section of the City in a piece-meal fashion. A longer-term vision should identify long-term problems that could have been addressed at this stage of development.